

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE DISTRICT OF PUERTO RICO**

IN RE	*	CASE NO. 10-04905 BKT
MEDICAL EDUCATIONAL AND HEALTH SERVICE, INC. DEBTOR	*	CHAPTER 11
	*	
MEDICAL EDUCATIONAL AND HEALTH SERVICE, INC PLAINTIFF,	*	ADV. NO. 10-148
	*	
VS.		
INDEPENDENT MUNICIPALITY OF MAYAGUEZ, HON. JOSE GUILLERMO RODRIGUEZ, ET ALS DEFENDANTS.	*	
	*	

ANSWER TO THE COMPLAINT

Co defendant, Orlando Marini Román (O.M.R.), by his attorney, Lozada Colon, Esq. as and for it answer to complaint, state as following.

I. JURISDICTION

1. The allegations contained in paragraph 1 of the Complaint are legal conclusions for which no response is required.
2. The allegations contained in paragraph 2 of the Complaint are legal conclusions for which no response is required.
3. The allegations contained in paragraph 3 of the Complaint are legal conclusions for which no response is required.
4. The allegations contained in paragraph 4 of the Complaint are legal conclusions for which no response is required.
5. The allegations contained in paragraph 5 of the Complaint are legal conclusions for which no response is required.
6. The allegations contained in paragraph 6 of the Complaint are legal conclusions for which no response is required.

II. THE PARTIES

7. Denied the allegation in paragraph 7 of the complaint, except admits that MEDHS is a non-profit organization and the places of business.
8. The allegation in paragraph 8 does not require a response from the co-defendant O.M.R.
9. The allegation in paragraph 9 does not require a response from the co-defendant O.M.R.
10. Denied the allegation in paragraph 10 of the complaint in the form alleged.
11. Denied the allegation in paragraph 11 of the complaint, for the falsity of the allegation.
12. Denied the allegation in paragraph 12 of the complaint, for the falsity of the allegation.
13. Denied the allegation in paragraph 13 of the complaint, for the falsity of the allegation.
14. The allegation in paragraph 14 does not require a response from the co-defendant O.M.R.
15. The allegation in paragraph 15 does not require a response from the co-defendant O.M.R.
16. The allegation in paragraph 16 does not require a response from the co-defendant O.M.R.
17. The allegation in paragraph 17 does not require a response from the co-defendant O.M.R.
18. The allegation in paragraph 18 does not require a response from the co-defendant O.M.R.
19. The allegation in paragraph 19 does not require a response from the co-defendant O.M.R.
20. The allegation in paragraph 20 does not require a response from the co-defendant O.M.R.
21. The allegation in paragraph 21 does not require a response from the co-defendant O.M.R.
22. The allegation in paragraph 22 does not require a response from the co-defendant O.M.R.
23. Denied the allegation in paragraph 23 of the complaint, because Orlando Marini Roman is not the stockholder and principal executive of SISO.
24. The allegation in paragraph 24 does not require a response from the co-defendant O.M.R., in the alternative the co-defendant O.M.R. denied the allegation. The damage of MEDHS are self-inflicted.
25. The allegation in paragraph 25 does not require a response from the co-defendant O.M.R.
26. The allegation in paragraph 26 does not require a response from the co-defendant O.M.R.
27. The allegation in paragraph 27 does not require a response from the co-defendant O.M.R.

28. The allegation in paragraph 28 does not require a response from the co-defendant O.M.R.
29. The allegation in paragraph 29 does not require a response from the co-defendant O.M.R.
30. Denied knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 30 of the Complaint.
31. Denied knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 31 of the Complaint.
32. Denied the allegation in paragraph 32 of the complaint in the form alleged.
33. Denied the allegation in paragraph 33 of the complaint.
34. Denied the allegation in paragraph 34 of the complaint in the form alleged.
35. Denied the allegation in paragraph 35 of the complaint.
36. The allegation in paragraph 36 does not require a response from the co-defendant O.M.R.
37. The allegation in paragraph 37 does not require a response from the co-defendant O.M.R.
38. The allegation in paragraph 38 does not require a response from the co-defendant O.M.R.
39. Denied the allegation in paragraph 39 of the complaint, for the falsity of the allegation.
40. Denied the allegation in paragraph 40 of the complaint, for the falsity of the allegation.
41. The allegation in paragraph 41 does not require a response from the co-defendant O.M.R., in the alternative the co- defendant O.M.R. denied the allegation.
42. The allegation in paragraph 42 does not require a response from the co-defendant O.M.R.
43. The allegation in paragraph 43 does not require a response from the co-defendant O.M.R.
44. The allegation in paragraph 44 does not require a response from the co-defendant O.M.R.
45. The allegation in paragraph 45 does not require a response from the co-defendant O.M.R.
46. The allegation in paragraph 46 does not require a response from the co-defendant O.M.R.
47. The allegation in paragraph 47 does not require a response from the co-defendant O.M.R.
48. The allegation in paragraph 48 does not require a response from the co-defendant O.M.R.
49. The allegation in paragraph 49 does not require a response from the co-defendant O.M.R.
50. The allegation in paragraph 50 does not require a response from the co-defendant O.M.R., in the alternative the co- defendant O.M.R. denied the allegation.
51. The allegation in paragraph 51 does not require a response from the co-defendant O.M.R., in the alternative the co- defendant O.M.R. denied the allegation.
52. Denied the allegation in paragraph 52 of the complaint, for the falsity of the allegation.

53. The allegation in paragraph 53 does not require a response from the co-defendant O.M.R., in the alternative the co- defendant O.M.R. denied the allegation.
54. The allegation in paragraph 54 does not require a response from the co-defendant O.M.R.
55. Denied knowledge or information sufficient to form a belief as to the truth or falsity of the allegation contained in paragraph 55 of the Complaint.
56. The allegation in paragraph 56 does not require a response from the co-defendant O.M.R., in the alternative the co- defendant O.M.R. denied the allegation.
57. Denied the allegation in paragraph 57 of the complaint, for the falsity of the allegation.
58. Denied the allegation in paragraph 58 of the complaint, for the falsity of the allegation.
59. Denied the allegation in paragraph 59 of the complaint, for the falsity of the allegation.
60. Denied the allegation in paragraph 60 of the complaint, for the falsity of the allegation.
61. Denied the allegation in paragraph 61 of the complaint, for the falsity of the allegation.
62. The allegation in paragraph 62 does not require a response from the co-defendant O.M.R., in the alternative the co- defendant O.M.R. denied the allegation.
63. The allegation in paragraph 63 does not require a response from the co-defendant O.M.R., in the alternative the co- defendant O.M.R. denied the allegation.
64. The allegation in paragraph 64 does not require a response from the co-defendant O.M.R., in the alternative the co- defendant O.M.R. denied the allegation.
65. The allegation in paragraph 65 does not require a response from the co-defendant O.M.R., in the alternative the co- defendant O.M.R. denied the allegation.
66. The allegation in paragraph 66 does not require a response from the co-defendant O.M.R., in the alternative the co- defendant O.M.R. denied the allegation.
67. The allegation in paragraph 67 does not require a response from the co-defendant O.M.R., in the alternative the co- defendant O.M.R. denied the allegation.
68. Denied knowledge or information sufficient to form a belief as to the truth or falsity of the allegation contained in paragraph 68 of the Complaint.
69. Denied the allegation in paragraph 69 of the complaint, for the falsity of the allegation.
70. Denied the allegation in paragraph 70 of the complaint, for the falsity of the allegation.
71. Denied the allegation in paragraph 71 of the complaint, for the falsity of the allegation.
72. Denied the allegation in paragraph 72 of the complaint, for the falsity of the allegation.
73. Denied the allegation in paragraph 73 of the complaint, for the falsity of the allegation.
74. Denied knowledge or information sufficient to form a belief as to the truth or falsity of the allegation contained in paragraph 74 of the Complaint.
75. Denied knowledge or information sufficient to form a belief as to the truth or falsity of the allegation contained in paragraph 75 of the Complaint.

76. Denied the allegation in paragraph 76 of the complaint, for the falsity of the allegation.
77. Denied the allegation in paragraph 77 of the complaint, for the falsity of the allegation.
78. Denied the allegation in paragraph 78 of the complaint, for the falsity of the allegation.
79. The allegation in paragraph 79 does not require a response from the co-defendant O.M.R.
80. The allegation in paragraph 80 does not require a response from the co-defendant O.M.R.
81. Denied the allegation in paragraph 81 of the complaint in the form alleged.
82. The allegation in paragraph 82 does not require a response from the co-defendant O.M.R.
83. Denied the allegation in paragraph 83 of the complaint, for the falsity of the allegation.
84. The allegation in paragraph 84 does not require a response from the co-defendant O.M.R., in the alternative the co- defendant O.M.R. denied the allegation.
85. The allegation in paragraph 85 does not require a response from the co-defendant O.M.R., in the alternative the co- defendant O.M.R. denied the allegation.
86. The allegation in paragraph 86 does not require a response from the co-defendant O.M.R., in the alternative the co- defendant O.M.R. denied the allegation.
87. Denied the allegation in paragraph 87 of the complaint.
88. The allegation in paragraph 88 does not require a response from the co-defendant O.M.R., in the alternative the co- defendant O.M.R. denied the allegation.
89. The allegation in paragraph 89 does not require a response from the co-defendant O.M.R..
90. Denied the allegation in paragraph 90 of the complaint in the form alleged.
91. The allegation in paragraph 91 does not require a response from the co-defendant O.M.R..
92. The allegation in paragraph 92 does not require a response from the co-defendant O.M.R..
93. The allegation in paragraph 93 does not require a response from the co-defendant O.M.R..
94. The allegation in paragraph 94 does not require a response from the co-defendant O.M.R..
95. The allegation in paragraph 95 does not require a response from the co-defendant O.M.R..
96. The allegation in paragraph 96 does not require a response from the co-defendant O.M.R..
97. The allegation in paragraph 97 does not require a response from the co-defendant O.M.R..
98. The allegation in paragraph 98 does not require a response from the co-defendant O.M.R..
99. The allegation in paragraph 99 does not require a response from the co-defendant O.M.R..

IV. FIRST CAUSE OF ACTION-BREACH OF CONTRACT

- 100. The allegation in paragraph 100 does not require a response from the co-defendant O.M.R..
- 101. The allegation in paragraph 101 does not require a response from the co-defendant O.M.R..

V. SECOND CAUSE OF ACTION-FRAUD OR DECIT ("DOLO") WHILE INDUCING PLAINTIFF TO AGREE TO THE TERMS OF THE CONTRACT

- 102. The allegation in paragraph 102 does not require a response from the co-defendant O.M.R..
- 103. The allegation in paragraph 103 does not require a response from the co-defendant O.M.R..
- 104. The allegation in paragraph 104 does not require a response from the co-defendant O.M.R..

VI. THIRD CAUSE OF ACTION-DAMAGE INCIDENTAL TO CONTRACT, AND/OR IN TORT

- 105. The allegation in paragraph 105 does not require a response from the co-defendant O.M.R..
- 106. Denied the allegation in paragraph 106 of the complaint, for the falsity of the allegation.
- 107. Denied the allegation in paragraph 107 of the complaint, for the falsity of the allegation.
- 108. The allegation in paragraph 108 does not require a response from the co-defendant O.M.R..

VII. FOURTH CAUSE OF ACTION-DAMAGES INCIDENTAL TO TORTIOUS INTERFERENCE WITH CONTRACTUAL AND/OR BUSINESS RELATION

- 109. Denied the allegation in paragraph 109 of the complaint, for the falsity of the allegation.
- 110. Denied the allegation in paragraph 110 of the complaint, for the falsity of the allegation.
- 111. Denied the allegation in paragraph 111 of the complaint, for the falsity of the allegation.
- 112. The allegation in paragraph 112 does not require a response from the co-defendant O.M.R..

VIII. FIFTH CAUSE OF ACTION-DAMAGES FOR VIOLATION OF CIVIL RIGHTS: ATTEMPT TO DEPRIVE MEDHS OF PROPERTY WITHOUT DUE PROCES OF LAW

- 113. Denied the allegation in paragraph 113 of the complaint, for the falsity of the allegation.
- 114. The allegation in paragraph 114 does not require a response from the co-defendant O.M.R..

IX. SIXTH CAUSE OF ACTION-INJUNCTION-CEASE AND DESIST AND SPECIFIC PERFORMANCE

- 115. The allegation in paragraph 115 does not require a response from the co-defendant O.M.R..
- 116. The allegation in paragraph 116 does not require a response from the co-defendant O.M.R..
- 117. The allegation in paragraph 117 does not require a response from the co-defendant O.M.R..
- 118. The allegation in paragraph 118 does not require a response from the co-defendant O.M.R..
- 119. The allegation in paragraph 119 does not require a response from the co-defendant O.M.R..
- 120. The allegation in paragraph 120 does not require a response from the co-defendant O.M.R..

X. SEVENTH CAUSE OF ACTION-TURNOVER OF PROPERTY AND/OR COLLECTION OF RENT

- 121. The allegation in paragraph 121 does not require a response from the co-defendant O.M.R..
- 122. The allegation in paragraph 122 does not require a response from the co-defendant O.M.R..
- 123. The allegation in paragraph 123 does not require a response from the co-defendant O.M.R..
- 124. The allegation in paragraph 124 does not require a response from the co-defendant O.M.R..
- 125. The allegation in paragraph 125 does not require a response from the co-defendant O.M.R..
- 126. The allegation in paragraph 126 does not require a response from the co-defendant O.M.R..
- 127. The allegation in paragraph 127 does not require a response from the co-defendant O.M.R..

XI. EIGHT CAUSE OF ACTION-LOSS OF OPPORTUNITIES AND REPUTATION

- 128. The allegation in paragraph 128 does not require a response from the co-defendant O.M.R..
- 129. The allegation in paragraph 129 does not require a response from the co-defendant O.M.R..

130. The allegation in paragraph 130 does not require a response from the co-defendant O.M.R..

XII. NINTH CAUSE OF ACTION-LOSS OF BUSINESS OPPORTUNITY

131. The allegation in paragraph 131 does not require a response from the co-defendant O.M.R..
132. The allegation in paragraph 132 does not require a response from the co-defendant O.M.R..
133. The allegation in paragraph 133 does not require a response from the co-defendant O.M.R..

XIII. TENTH CAUSE OF ACTION-DAMAGE TO OTHER SUB-LESSOR

134. The allegation in paragraph 134 does not require a response from the co-defendant O.M.R..
135. Denied the allegation in paragraph 135 of the complaint, for the falsity of the allegation.
136. The allegation in paragraph 136 does not require a response from the co-defendant O.M.R..

XIV. ELEVENT CAUSE OF ACTION-R.I.C.O.

137. Denied the allegation in paragraph 137 of the complaint, for the falsity of the allegation.
138. The allegation in paragraph 138 does not require a response from the co-defendant O.M.R..
139. Denied the allegation in paragraph 139 of the complaint, for the falsity of the allegation.
140. The allegation in paragraph 140 does not require a response from the co-defendant O.M.R..
141. Denied the allegation in paragraph 141 of the complaint, for the falsity of the allegation.
142. Denied the allegation in paragraph 142 of the complaint, for the falsity of the allegation.
143. The allegation in paragraph 143 does not require a response from the co-defendant O.M.R..
144. The allegation in paragraph 144 does not require a response from the co-defendant O.M.R..
145. The allegation in paragraph 145 does not require a response from the co-defendant O.M.R..
146. The allegation in paragraph 146 does not require a response from the co-defendant O.M.R..
147. The allegation in paragraph 147 does not require a response from the co-defendant O.M.R..

148. The allegation in paragraph 148 does not require a response from the co-defendant O.M.R..
149. The allegation in paragraph 149 does not require a response from the co-defendant O.M.R..

WHEREFORE it is respectfully requested from this Honorable Court that the Complaint be denied.

CERTIFICATE OF SERVICE: I hereby certify that a true and exact copy of the foregoing document has been filed with the Clerk of the Court using the EC/ECF system, which will send notification of such filing to US Trustee, Rafael Velez, Attorney for defendant, Jorge I Peirats, Attorney for Mayaguez Medical Center and Antonio Valiente, Attorney for Municipality of Mayaguez through the CM/ECF system.

In Mayaguez for San Juan, PR, this 14th day of October, 2010.

/s/Alberto O. Lozada Colon

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